

**Town Of Superior
Council Meeting Minutes
November 19, 2009**

Call To Order:

Mayor Michael Hing called council meeting to order at 7:22pm

Salute To the Flag:

Mayor Hing led the council, staff and members of the audience in the Pledge of Allegiance.

Opening Prayer:

Mayor Hing led council, staff and members of the audience in a opening prayer.

Consent Agenda:

Approval of Minutes for regular meeting November 5, 2009. Correction, Councilmember Heglie stated he was not present at the October 21st meeting. Correction noted.

Blanket Permit for Ronald Hansen for fundraising, son races Motor Cross; Blanket permit for Jr. High Football Team fundraising, Blanket Permit for Baile Folklorico Alma De Superior for Fundraising and street closure of Main from Lobb to Neary, for the Superior Optimist Club; "Miracle on Main Street" Christmas event on December 5, 2009. Motion to approve items on the consent agenda with the changes made by Mr. Heglie done by Councilmember Pfohl.

2nd by Vice Mayor Lopez

Motion passed unanimously

Communication:

Presentation to Chief Gomez (Retired) Chief Todd Pryor. Mayor stated this was long over due. Mr. Gomez served the Town of Superior for over 40 yrs started with the volunteer fire fighters and continued until his retirement. He help guide the fired department with a lot of the changes we have now. He was instrumental in the design of the new fire house. Mr. Gomez was presented with a fire axe by Mr. Romero, Mr. Perez and Chief Pryor. Mr. Gomez stated that he enjoyed every minute he worked for the Superior Fire Department and if you ever need anything just call him. Mayor stated that he appreciated him and all of the family traditions he brought to the fire dept. and was glad that he got to see the new fire house built, that was one of his main goals. He was a part of the volunteer and remained that way even when they started hiring fire man.

Manager's Report; was tabled.

Finance Report-Finance Director Duane Mauldin. Introduction of new Finance Director, also is a CPA. Mr. Mauldin stated he knows he has a big task but is confident that he will

get it all straightened out. Reassured Mayor and council that as a CPA his goal, to give Council financial reports that they can rely on and guide the city to move forward. Requesting for council to have a little bit of patience as he tries to understand this software. They have also scheduled meetings with the auditors so when we present reports you have accurate reports in front of you. The software is a challenge but has been able to adapt to new software's very quickly. He is confident that he can handle the task ahead of him. Look forward to open discussion with council and with public.

Business:

1. Discuss/Approve/Reject Resolution 506 Declaring as public records those certain documents filed with the Town Clerk and Entitled the International Building Code, 2006, International Residential Code, International Existing Building Code, International Code Council Electrical Code Administrative Provisions, International Mechanical Code, International Plumbing Code, International Property Maintenance Code, the International Fire Code and the 2002 Edition of the National Electrical Code-Operations Chief Todd Pryor.

Recommendation from Chief Todd Pryor, is to implement the corrections and changes we discussed during the work session and that we table this item until the next work session we have or public hearing and then take a vote on this on the next council meeting.

Chief Digirolamo recommended we have a public hearing at 5pm like we did today and the regular meeting at 7:00pm

Motion to table Resolution 506 Councilmember Heglie

2nd by Vice Mayor Lopez

Motion passes unanimously

2. Discuss/Approve / Reject Ordinance number 109 adopting International Code Council Family of Codes, 2006 Editions, including the International Building Code Residential Code, International Existing Building Code, International Code Council Electrical Code Administrative Provisions, International Mechanical Code, International Plumbing Code, International Property Maintenance Code, the International Fire Code and the 2002 Edition of the National Electrical Code, and repealing Chapter 1, Article 4-3, Chapter 5, Chapter 7 and Chapter 9.4 of the Superior Town Code-Operations, Chief Todd Pryor

Motion to table item number 2, Ordinance #109 made by Councilmember Heglie

2nd by Vice Mayor Lopez

Motion passes unanimously

3. Discuss/Approve/Reject; Ordinance 110 amending the zoning map of the Town Of Superior by re-zoning property set forth herein, (Harding School) Building Safety Director Rebecca Brothers. Staff recommends approval of the first reading of Ordinance 110.

Motion to approve first read of Ordinance 110 by Councilmember Peralta

2nd by Vice Mayor Lopez
Motion passes unanimously

4. Discuss/Approve/Reject Real Estate properties for sale, placing of minimum bids, a performance bond on Lot #3 of the Superior Industrial Park, and the hiring of a real estate agent to represent the Town or paying a commission on the sale of the properties. Chief Lou Digirolamo, Staff recommends the listed minimum bids for the properties list to be sold. Staff also recommends the council make the decision to list the property with a licensed real estate agent or offering a commission for the buyer's broker.

Industrial Lot #3 \$150,000.00 Minimum bid plus development proposal and performance bond of \$50,000.00. Bids would close on all of these properties on December 30, 2009. Council felt this date was too short of time they would like to extend it out. Motion to extend the closing date to January 29, 2010 @ 5:00pm for bids on properties made by Vice Mayor Lopez.

2nd by Councilmember Heglie
Motion passes unanimously for closing date

Agents, Listings;

Council has 3 choices: You can hire a listing agent to list the property thru a licensed real estate agent to list the property. Also radio or listing services negotiable with the town you could also put in a bid that you would cooperate with co-brokers not as a listing agent or MLS but pay it by broker commission for bring a buyer payable at close at escrow or you can pay no commission put it out thru the paper possible outside services. Recommendation by staff would be to put it thru MLS and hire a licensed real estate agent, you get more exposure and goes out to every licensed agent in Arizona. You would pick an agent by putting it out and get proposal. Another is there are 6 properties give each agent an equal amount of properties to sell.

Motion to approve for the Town to hire a licensed real estate brokers/agent and list in MSL given by Councilmember Gutierrez

2nd by Councilmember Pfohl
Motion passes unanimously.

Motion to authorize Chief Digirolamo to on behalf of the town to solicit brokers to show and list our properties and we have responses to review by next council meeting.

2nd by Councilmember Aguilar
Motion passes unanimously

Motion to approve the minimum bid of \$150,000.00 Lot #3 Industrial park, with a performance bond of \$50,000.00. Old Swimming pool minimum bid of \$100,000.00, the Fire Station on Magma \$50,000.00 and Chamber of Commerce \$50,000.00. We need to find a way to put a performance bond on Swimming Pool, Ms. Peralta amended motioned to put a \$50,000.00 performance bond on the Old Swimming Pool.

2nd by councilmember Aguilar

Amended Motion passes unanimously

5. Discuss/Approve/Reject: the proceeding with placing and advertising 187 Copper Street and 405 Terrace Drive for sale. Chief Lou Digirolamo To sell the listed properties and do it in conjunction with the other four properties already authorized for sale.

Minimum bid for properties to be set at \$25,000.00 with the stipulation that the town reserves the right to reject any and all bids. Both of the properties are free and clear.

Motion to approve the sale of properties 187 Copper Street & 405 Terrace in conjunction with item #4 made by councilmember Pfohl

2nd by Mr. Gutierrez

Motion passes unanimously

6. Discuss/Approve/Reject: Presentation of the CAP Water Agreement, Melanie Oliver;

This agreement cost the town and we have paid \$41,784.06 so far. Another payment is due for \$46,059.99 by January 1, 2010. Also the subcontract must be validated in court.

The town may relinquish its entitlement to the water and if we choose to relinquish this entitlement we will get the first installment back, \$41,784.06. It is very difficult for the

Town Of Superior to utilize its water rights because it is so hard to get to. Staff

recommends that we relinquish our water rights and get our money back and let CAP sell it, the town cannot sell its rights it has to relinquish. We need to look into leasing that

portion of the water rights, or is it possible to get the draft and get the information from CAP. Presentation & background 1st meeting in December 3rd. No motion needed this

was a presentation only.

Call To the Public:

Mila Lira: Miracle on Main Street is here December 5, 2009. Some of the events we are having is the Christmas Star, Electric Light Parade and we are also having a pajama pageant. The theme is the Night before Christmas. The parade will happen at 7:00pm and want to thank the city staff for working with them. Their donations have been a little slimmer this year but they have a great partnership with great organizations and will continue to accept donations. The community champion this year is Steve Lopez. We are looking for a real great turnout.

Sue Anderson: Just a reminder we are having our electronic waste this Saturday, November 21st at the Kennedy Elementary School parking lot. She is looking for a good response. Another thing she would like to express is about the Copper Corridor Alliance. There is a lot to be said about power in numbers, there is a lot of positive thing to come out of this. We can join the alliance and if it is something that just doesn't turn out to our liking we can always withdraw but if we don't get involved we might find ourselves losing out on thing we might not have wished on.

No Executive Items

Council Comments:

Mrs. Peralta-No Comment

Mr. Aguilar-No comment

Mr. Heglie- Would like to recommend that we place the Copper Corridor Alliance back on the agenda for discussion on the next council meeting.

Mr. Pfohl- Thanks to Rebecca Brother for the representation on the main street project she worked very, very hard. Once the project is completed I am sure people will be singing her praises. Also to welcome the new Finance Director and Thanks for the job that he is doing, also the Chief thank you for helping and the job you are doing and to Lt. Campbell thank you for the job you are doing.

Mr. Gutierrez- Todd you have done a very good job and you have a good grasp on the job we have to do and with the community as a whole. I know that you have done and work very hard. Want to thank Mr. Gomez for all of the years of service and the devotion to this town.

Vice Mayor Lopez- Staff is all doing a good job we have a great, great hard working administration staff so keep up the hard work you are committed to doing a good job. We know we are in a financial situation and the Chief, Melanie are working real hard to straighten this out. Paid a visit to Mr. Carreno, after reading the paper and the minutes was a little concerned. He explained that their system has not been breached and that the Town Of Superior's system was breached and I know that they are working real hard to get this fixed. Lets make sure that we hire the correct people for the correct job. Encouraged everyone to participate in the Miracle on Main Street. Happy and safe Thanksgiving .

Mayor Hing- Ditto on everyone's comments on everyone working hard. Let the council know probably approve a joint meeting with the school board concerning issues on properties. One issue is the Roosevelt School and any new owner, this might have to be moved to another location and possible move that ball field to some property that Mr. Guzman might have some property where we might be able to work together and find a solution for this matter. Manage please set up a December meeting. Thank you all for coming out and wish everyone a Happy Thanksgiving.

Motion to adjourn Vice Mayor Lopez

2nd by Councilmember Peralta

Motion carries unanimously

Meeting adjourned at 8:48pm

Minutes transcribed by: Deputy Town Clerk-Nora Miramon